

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

Richard Preston Blackwell,

Civ. No. 25-1048 (PAM/DLM)

Plaintiff,

v.

**MEMORANDUM AND ORDER**

City of Saint Paul; Todd Axtell,  
Chief; Reginak, Officer; Chouinard,  
Officer; and Bjorkman, Officer, sued  
in their personal, official, and  
individual capacities,

Defendants.

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This matter is before the Court on Plaintiff's Application to Proceed In Forma Pauperis on Appeal. (Docket No. 7.) Under 28 U.S.C. § 1915, the Court may authorize a party to proceed without prepayment of fees, costs, or security, on the affidavit of a party testifying that he is unable to pay such costs, describing the nature of the appeal and his belief that he is entitled to redress. However, the Court will deny IFP status if it finds that the appeal is not "taken in good faith." Id. § 1915(a)(3). Good faith is judged objectively; an appeal is not taken in good faith when it is "factually or legally frivolous." Crawford v. State of Minn., Civ. No. 04-2822, 2005 WL 1843329, at \*1 (D. Minn. Aug. 2, 2005) (Tunheim, J.).

The Court dismissed this matter because Plaintiff's §1983 claims are plainly untimely, and the Court declined to exercise supplemental jurisdiction over the state-law claims. (Docket No. 4.) Moreover, the Court informed Plaintiff that he "could not

appeal the dismissal of this action in good faith,” and that the Court would not grant IFP status on appeal if Plaintiff so requested. (Id. at 4.)

Accordingly, **IT IS HEREBY ORDERED** that Plaintiff’s Application to Proceed In Forma Pauperis on Appeal (Docket No. 7) is **DENIED**.

Dated: April 29, 2025

*s/ Paul A. Magnuson*  
Paul A. Magnuson  
United States District Court Judge